

Exhibit 1

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ROBERT CORWIN, Individually, and On :
Behalf of All Others Similarly Situated, :
Plaintiff, : Electronically Filed
v. : Civil Action No.: 1:07-cv-06728-DC
GPC BIOTECH AG, : (ECF Case)
Defendants. : Hon. Denny Chin
----- x

(Additional captions on the following pages)

**DECLARATION OF AXXION S.A. LUXEMBURG, ON BEHALF OF ITS AKROBAT
FUND-VALUE, IN SUPPORT OF ITS MOTION FOR CONSOLIDATION,
APPOINTMENT AS LEAD PLAINTIFF AND APPROVAL OF SELECTION OF LEAD
COUNSEL**

----- X
ISTVAN TEMESFOI, Individually, and On :
Behalf of All Others Similarly Situated, :
Plaintiff, : Electronically Filed
v. : Civil Action No.: 1:07-cv-07016-DC
(ECF Case)
GPC BIOTECH AG, BERND R. SEIZINGER, :
MARTINE GEORGE and, MARCEL :
ROSENCZWEIG, :
Defendants. : Hon. Denny Chin
----- X
AUDREY DANG, Individually, and On Behalf :
of All Others Similarly Situated, :
Plaintiff, : Electronically Filed
v. : Civil Action No.: 1:07-cv-07476-DC
(ECF Case)
GPC BIOTECH AG, BERND R. SEIZINGER, :
MARTINE GEORGE and, MARCEL :
ROSENCZWEIG, :
Defendants. : Hon. Denny Chin
----- X

I, Roman Mertes, declare as follows:

1. I respectfully submit this Declaration in support of the motion of Axxion S.A. Luxemburg, on behalf of its Akrobat Fund-Value ("Axxion"), for consolidation, appointment as lead plaintiff in the securities action against GPC Biotech AG ("GPC"), and approval of its selection of Labaton Sucharow LLP as lead counsel.

2. I am the Managing Director of Axxion and an authorized signatory for Axxion. Axxion is an investment firm established pursuant to Luxemburgian law. Axxion manages assets totaling approximately €1.7 billion.

3. Axxion is fully authorized under Luxemburgian law to establish and manage investment funds. The Axxion family of funds includes the Akrobat Fund. The Akrobat Fund is a distinct legal entity, separate from Axxion and the other funds managed by Axxion.

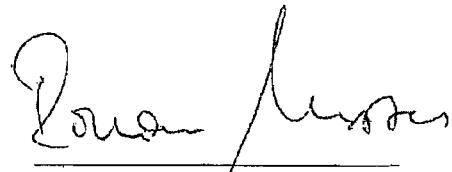
4. The Akrobat Fund-Value ("Value") and the Akrobat Fund-Europa ("Europa") are special assets/partial funds in the umbrella Akrobat Fund. Akrobat, Value, and Europa are legally dependent on Axxion to act. As between themselves, Value and Europa are legally independent entities. The Akrobat Fund has no other funds under its umbrella besides Value and Europa.

5. Axxion has full and complete authority and discretion to purchase and sell securities for the Akrobat Fund (comprised of Value and Europa) and transacted in the GPC securities at issue in this litigation for the Akrobat Fund. Axxion has attorney-in-fact authority to institute legal action on behalf of the Akrobat Fund, Value, and Europa, for investment losses, including filing a motion for appointment as lead plaintiff in the present action.

6. I have attached as Exhibit A to this declaration a chart of Europa's transactions in GPC, as well as a loss analysis of those transactions.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on October 13, 2007



Roman Mertes

Roman Mertes

Exhibit A**Loss Analysis****Axxion S.A. Luxemburg**

Class Period: 12/5/05-7/24/07

Akrobat Fund - Europa

| <u>Transaction</u> | <u>Type</u> | <u>Trade Date</u> | <u>No. of Shares</u> | <u>Price Per</u> | | <u>Exch Rate**</u> | <u>Price Per Share (USD)</u> | <u>Cost/Proceeds (USD)</u> |
|---|--------------------|--------------------------|-----------------------------|---------------------------|-----------------------------------|---------------------------|-------------------------------------|-----------------------------------|
| | | | | <u>Share (EUR)</u> | <u>Cost/Proceeds (EUR)</u> | | | |
| Purchase | | 05/24/06 | 200,000 | € 10.4500 | -€ 2,093,185.00 | 1.2704 | \$13.2757 | -\$2,655,136.00 |
| Purchase | | 05/26/06 | 100,000 | € 10.3000 | -€ 1,031,595.00 | 1.2738 | \$13.1201 | -\$1,312,014.00 |
| Purchase | | 07/03/06 | 25,000 | € 10.7700 | -€ 269,703.88 | 1.2803 | \$13.7888 | -\$344,720.78 |
| Purchase | | 07/17/06 | 22,000 | € 10.9000 | -€ 240,209.70 | 1.2519 | \$13.6457 | -\$300,205.62 |
| Purchase | | 07/18/06 | 103,000 | € 10.8500 | -€ 1,119,276.33 | 1.2505 | \$13.5679 | -\$1,397,496.28 |
| Purchase | | 08/23/06 | 100,000 | € 10.9960 | -€ 1,101,299.40 | 1.2787 | \$14.0606 | -\$1,406,058.52 |
| Purchase | | 08/25/06 | 100,000 | € 10.9810 | -€ 1,099,797.15 | 1.2753 | \$14.0041 | -\$1,400,406.93 |
| Total purchases: | | | 650,000 | | -€ 6,955,066.46 | | | -\$8,816,038.12 |
| Sale | | 11/27/06 | -30,472 | € 15.8700 | € 482,815.25 | 1.3133 | \$20.8421 | \$635,099.59 |
| Sale | | 12/04/06 | -1,815 | € 15.8500 | € 28,674.60 | 1.3343 | \$21.1487 | \$38,384.81 |
| Sale | | 12/06/06 | -40,000 | € 16.1775 | € 646,079.35 | 1.3288 | \$21.4967 | \$859,866.48 |
| Sale | | 12/06/06 | -7,713 | € 15.8500 | € 122,017.67 | 1.3288 | \$21.0615 | \$162,447.20 |
| Total Sales: | | | -80,000 | | € 1,279,586.87 | | | \$1,695,798.07 |
| Retained Shares* | | | 570,000 | € 9.1470 | € 5,213,790.00 | | \$12.5518 | \$7,154,531.70 |
| EURO Gain/Loss: | | | | | -€ 461,689.59 | | | |
| USD Gain/Loss Based on daily conversion from Euros: | | | | | \$34,291.65 | | | |
| USD Gain/Loss Based on conversion from Euros on 9/24/07: | | | | | -\$650,335.96 | 1.4086 *** | | |

*Value of retained purchases is the mean trading price from 7/25/2007 to 9/24/2007.

**The exchange rate is based upon the closing values of the Euro to USD as reported on Bloomberg.

***The exchange rate is the closing value on 9/24/07, the date of lead plaintiff filings.